IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.67011-M of 2006
Date of Decision:- 12.1.2007

Maninderpal Singh ....Petitioner(s)

through
Mr.A.S.Trikha, Advocate

vs.

The State of Punjab & ors. ....Respondent(s)

through
Mr.B.S.Baath, AAG, Punjab.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The petitioner, who is a life convict, is aggrieved at the order dated 20.9.2006 (Annexure P-1) passed by the Additional Director General of Police (Jails), Punjab whereby his request for parole for agricultural purposes has been rejected on the ground that there is an apprehension of breach of peace and the petitioner is stated to have threatened that he will commit one more crime of murder.

Somewhat similar stand has been taken in the written statement filed in Court today which is taken on record.

It is not disputed that the petitioner owns agricultural land in the village.

As regard to the apprehension expressed by the respondents that if the petitioner is released on parole he will cause breach of peace or he will commit another murder, it is pointed out by learned counsel for the petitioner that earlier also, the petitioner was released on parole in the year 2005 which was peacefully availed by him. Thus, there appears to be no factual basis for the apprehension as expressed by the authorities.

That apart, several remedial measures can be taken by the District Administration/Authorities to ensure that the petitioner does not misuse the concession of parole. He can be asked not only to furnish his own personal bonds but also of the respectables of the village including the office bearers of the Gram Panchayat. He can also be directed to report everyday to the nearest police station and/or Sarpanch of the village.

Consequently and for the reasons aforestated, I am of the view that the petitioner's case requires reconsideration by the Competent Authority. Accordingly, the impugned order dated 20.9.2006(Annexure P-1) is quashed. The Additional Director General of Police (Jails), Punjab is directed to reconsider the petitioner's case in the light of the observations made hereinabove. The necessary decision shall be taken within a period of one month from the date of receipt of certified copy of this order.

January 12, 2007 **(SURYA KANT)**
poonam **JUDGE**